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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,834	03/17/2004	Ben Meager	3772-7-CON	6460

22442 7590 10/11/2006

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EXAMINER

LAVINDER, JACK W

ART UNIT

PAPER NUMBER

3677

DATE MAILED: 10/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No.	Applicant(s)	
	10/803,834	MEAGER, BEN	
	Examiner	Art Unit	
	Jack W. Lavinder	3677	

All participants (applicant, applicant's representative, PTO personnel):

(1) Jack W. Lavinder.

(3) _____

(2) Mr. Yaskanin, 45246.

(4) _____

Date of Interview: 02 October 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____

Claim(s) discussed: 25.

Identification of prior art discussed: Sander and Heckman.


Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: discussed proposed amendments to the claims (see attached proposed amendments). Agreed that defining the location of the upper interior surface relative to the upper seal member or the other portions of the slider along with the proposed changes would overcome the 102 rejections of Heckman and Sander.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

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DRAFTAMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

25. (Currently Amended) A device for creating a seal, comprising:

(a) an upper seal member having a first mating surface and a lifting wing;

(b) a lower seal member having a second mating surface and a closure bar groove, wherein said second mating surface interlocks with said first mating surface; and

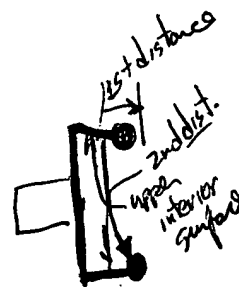
(c) a slider having a length and an upper interior surface, the slider further comprising:

(i) a lifting rib slidably cooperating with said lifting wing of said upper seal member, said lifting rib located at a first elevation distance relative to the upper interior surface;

(ii) a closure bar slidably cooperating with said closure bar groove of said lower seal member, said closure bar located at a second elevation distance relative to the upper interior surface, wherein the first elevation distance of the lifting rib is not equal to the second elevation distance of the closure bar at any location along the length of the slider; and

(iii) a body having a closing end wherein said lifting rib is in closing proximity with said closure bar and an opening end wherein said lifting rib is in opening proximity with said closure bar;

wherein when said slider is moved in a direction causing said upper seal member and said lower seal member to pass within said slider from said opening end to said closing end, said slider confines said first mating surface into contact with said second mating surface thereby creating a seal.



define location of upper surface
Heckman still discloses this.

26. (Previously Presented) The device, as claimed in Claim 25, wherein said upper seal member has a first and a second lifting wing; wherein said slider has a first lifting rib

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slidably cooperating with said first lifting wing and said slider has a second lifting rib slidably cooperating with said second lifting wing.

27. (Previously Presented) The device, as claimed in Claim 25, wherein at least one of said upper and lower seal members comprises a stiffener insert.

28. (Previously Presented) The device, as claimed in Claim 25, wherein said upper and lower seal members each have a top lateral surface and the top lateral surfaces of said upper and lower seal members are at about the same elevation.

29. (Previously Presented) The device, as claimed in Claim 25, wherein said lower seal member comprises a seal member rib that supports the interlocking first and second mating surfaces.

30. (Previously Presented) The device, as claimed in Claim 25, wherein said first and second mating surfaces each have a profile and said profiles are the same.

31. (Previously Presented) The device, as claimed in Claim 25, wherein said body of said slider comprises partial cylindrical shapes positioned to contact at least one of said upper and lower seal members.

32. (Previously Presented) The device, as claimed in Claim 25, wherein said lifting rib does not extend the entire length of the slider.

33. Cancelled

34. (Previously Presented) The device, as claimed in Claim 25, wherein said slider further comprises a pull tab, a pin and a slanted pull tab track.

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35. (Previously Presented) A product, comprising the device, as claimed in Claim 25, wherein said product is selected from the group consisting of hazardous material suits, fire suits, dry suits, dry bags, bivy sacks, waders, space suits, tents, shipping packages, household storage bags, map cases, chart cases, kayak skirts, backpack covers, computer cases, electronic device cases, watercraft containers, inflatable cases, flotation bags, flotation devices, waterproof pockets, fishing vest pockets, smell-proof pockets, wetsuits, jackets, sleeping bags, rain gear, boots, kayak jackets, wind breakers, and wind proof fleeces.

36. (Currently Amended) A device for creating a seal, comprising:

- (a) an upper seal member having a first mating surface and a lifting wing;
- (b) a lower seal member having a second mating surface and a closure bar groove, wherein said second mating surface interlocks with said first mating surface; and
- (c) a slider having a length and an upper interior surface, the slider further comprising:
 - (i) a lifting rib slidably cooperating with said lifting wing of said upper seal member, said lifting rib located at a first elevation distance relative to the upper interior surface;
 - (ii) a closure bar slidably cooperating with said closure bar groove of said lower seal member, said closure bar located at a second elevation distance relative to the upper interior surface, wherein the first elevation distance of the lifting rib is not equal to the second elevation distance of the closure bar at any location along the length of the slider; and
 - (iii) a body having a laterally tilted upper interior surface, the body including a closing end wherein said lifting rib is in closing proximity with said closure bar and an opening end wherein said lifting rib is in opening proximity with said closure bar;

wherein when said slider is moved in a direction causing said upper seal member and said

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20 lower seal member to pass within said slider from said opening end to said closing end, said slider confines said first mating surface into contact with said second mating surface thereby creating a seal.

37. (Previously Presented) A product, comprising the device, as claimed in Claim 36, wherein said product is selected from the group consisting of hazardous material suits, fire suits, dry suits, dry bags, bivy sacks, waders, space suits, tents, shipping packages, household storage bags, map cases, chart cases, kayak skirts, backpack covers, computer cases, electronic device cases, watercraft containers, inflatable cases, flotation bags, flotation devices, waterproof
5 pockets, fishing vest pockets, smell-proof pockets, wetsuits, jackets, sleeping bags, rain gear, boots, kayak jackets, wind breakers, and wind proof fleeces.

38. (Previously Presented) A seal for use in conjunction with a slider, comprising:
(a) an upper seal member comprising a first mating surface, and start, middle and end portion, and a lifting wing on said middle portion and not on said end portion; and
(b) a lower seal member comprising a second mating surface having a shape that
5 interlocks with said first mating surface, the lower seal member further comprising a closure bar groove;

wherein said first and second mating surfaces interlock, wherein said lifting wing is accessible for interaction with a slider lifting rib, and wherein said closure bar groove is accessible for interaction with a slider closure bar.

39. (Previously Presented) A product, comprising the seal, as claimed in Claim 38, wherein said product is selected from the group consisting of hazardous material suits, fire suits, dry suits, dry bags, bivy sacks, waders, space suits, tents, shipping packages, household storage bags, map cases, chart cases, kayak skirts, backpack covers, computer cases, electronic device cases, watercraft containers, inflatable cases, flotation bags, flotation devices, waterproof
5 pockets, fishing vest pockets, smell-proof pockets, wetsuits, jackets, sleeping bags, rain gear,

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boots, kayak jackets, wind breakers, and wind proof fleeces.

40-45 Cancelled

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